

***REGULAR ANDOVER CITY COUNCIL MEETING – JULY 15, 2014
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Mike Gamache, July 15, 2014, 7:05 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present:	Mike Knight, Sheri Bukkila, Julie Trude and Tony Howard
Councilmember absent:	None
Also present:	City Administrator, Jim Dickinson Community Development Director, Dave Carlberg Director of Public Works/City Engineer, David Berkowitz City Attorney Scott Baumgartner Others

PLEDGE OF ALLEGIANCE

RESIDENT FORUM

Mr. John Zillhardt, 3753 145th Avenue NW, stated he was at the meeting to talk to the Council about the shooting off of illegal fireworks around Round Lake and how it pertains to wildlife. He noted the day after the 4th of July he did not hear any wildlife around his house because the fireworks scared them off. He noted this was pretty startling for him to experience. He stated he has talked to the Sheriff's Office and indicated the enforcement needs to be a little harsher this year which worked because fireworks were taken away but the neighborhood was loud and disturbing to the older people in the neighborhood.

Mayor Gamache thanked Mr. Zillhardt for coming forward and indicated there are fines and possible jail time depending on the type of illegal fireworks confiscated. Councilmember Bukkila noted the penalty is determined by the weight of the fireworks. Mayor Gamache stated people need to be aware of others around them and be more sensitive. Councilmember Trude stated out of respect to Veterans, people need to be aware of the issue that fireworks can cause to them.

Council thought the newsletter would be a good way to get information out about fireworks.

AGENDA APPROVAL

Staff had changes to Item 18 (Anoka County Sheriff's Department Monthly Report) and to table Item 23 (Consider Amended Conditional Use Permit to Revise PUD for Andover Clocktower Commons)

until the August 6, 2014 Council meeting.

Motion by Bukkila, Seconded by Knight, to approve the Agenda as amended above. Motion carried unanimously.

APPROVAL OF MINUTES

June 3, 2014, Regular Meeting: Correct as amended.

Councilmember Trude requested a correction on page 14, there were two motions. On line 12 and line 30, these should be recorded as 4 ayes and 1 absent, rather than what is shown.

Motion by Trude, Seconded by Howard, to approve the minutes as indicated above. Motion carried unanimously.

June 3, 2014, Closed Session Meeting: Tabled.

Councilmember Trude asked if this could be tabled to the next meeting.

Motion by Trude, Seconded by Knight, to table the minutes until the next meeting. Motion carried unanimously.

June 17, 2014, Regular Meeting: Correct as written.

Motion by Trude, Seconded by Howard, to approve the minutes as presented. Motion carried unanimously.

June 24, 2014, Workshop Meeting: Correct as written.

Motion by Knight, Seconded by Bukkila, to approve the minutes as presented. Motion carried unanimously.

CONSENT ITEMS

- Item 2 Approve Payment of Claims
- Item 3 Approve Debt Service Payments
- Item 4 Approve Resolution Authorizing Joinder of the Wellhead Protection
Implementation JPA Agreement between Anoka County & Various Cities (See
Resolution R043-14)
- Item 5 Approve Northern Natural Gas Encroachment Agreement/Prairie Knoll Park
- Item 6 Approve Crooked Lake Hockey Rink Layout
- Item 7 Approve Resolution/Advanced Municipal State Aid Funding (See Resolution
R044-14)

- Item 8 Award Quote/14-7 & 14-12/2014 Trail & Parking Lot Maintenance
- Item 9 Adopt Resolution Appointing Election Judges for the Primary Election (See Resolution R045-14)
- Item 10 Approve Off-Sale Liquor and Tobacco Licenses/Northgate Liquors
- Item 11 Approve Security System Additions/Upgrades at Andover Community Center
- Item 12 Approve Amended and Restated Joint and Cooperative Agreement for the Establishment of the Lower Rum River Watershed Management Organization to Plan, Control and Provide for the Development of the Lower Rum River Watershed
- Item 13 Approve Registered Land Survey – 17605 and 17477 Hanson Blvd NW – Max Fenna Jr. (See Resolution R046-14)
- Item 14 Approve Registered Land Survey – 3200 South Coon Creek Drive – City of Andover (See Resolution R047-14)
- Item 15 Approve Final Plat – Country Oaks North – SW Land, LLC (See Resolution R048-14)
- Item 16 Approve On-Sale Liquor License/Andover Lanes/Corporate Name Change
- Item 17 Approve 2014 Animal Control Contract/Dover Kennel

Motion by Knight, Seconded by Trude, approval of the Consent Agenda as read. Motion carried unanimously.

ANOKA COUNTY SHERIFF'S DEPARTMENT MONTHLY REPORT

Commander Kevin Halweg from the Anoka county Sheriff's Department presented the May monthly Sheriff's Report.

PUBLIC HEARING/PRIVATE KENNEL LICENSE/3451 – 174TH LANE NW

Mr. Dickinson explained a public hearing has been scheduled to consider approval of a private kennel license requested by Geoffrey and Karen Godfrey, 3451 – 174th Lane NW.

Mr. Dickinson reviewed the staff report with the Council.

Motion by Knight, Seconded by Howard, to open the public hearing at 7:34 p.m. Motion carried unanimously.

Karen & Geoffrey Godfrey, 3451 – 174th Lane NW, made a presentation to the City Council.

Mr. Godfrey stated they have eight dogs, three are licensed at this time and if the kennel license is approved they will license the other five dogs. He noted the dogs are not being bred but they are show dogs.

Ms. Godfrey stated the dogs live in the house and are not kenneled outside. The property is five

acres with dense trees and the entire property is fenced. Mr. Godfrey stated in addition to the fencing around the perimeter, they have fencing along the driveway. He noted the dogs do not go outside much in the summer because of the heat, they prefer the cold.

Councilmember Trude asked how well the dogs get along. Mr. Godfrey stated they get along great and need to be socialized because they are show dogs.

Councilmember Knight asked if the owners would be amenable to using a bark collar. Mr. Godfrey stated they have not and would not do this because the collar would ruin the coats of the dogs and make them un-showable.

Ms. Godfrey addressed the two barking complaints that the City received regarding their dogs.

Mayor Gamache asked if the dogs are always under the Godfrey's control. Ms. Godfrey agreed.

Mr. Godfrey stated they are on a large piece of property surrounded by smaller pieces of property so if other dogs are barking, people may think it is their dog but usually it is not.

Councilmember Knight asked if the dogs can be let out at a different time so the barking is not an issue. Mr. Godfrey stated the latest the dogs are let out is 10:00 p.m. and if they let them out earlier than that they would have to let them out earlier in the morning. He noted that four of their dogs are elderly.

Councilmember Bukkila asked the ages of the dogs. Ms. Godfrey stated they are 12, 11, 9, two are 6, 5 years and one is 10 months. Councilmember Bukkila asked what the life expectancy is of this breed. Mr. Godfrey stated it is 12. Councilmember Bukkila asked if the Godfrey's breed the dogs. Ms. Godfrey stated they do occasionally, but only for their next great show dog.

Councilmember Trude wondered how many dogs are in their neighborhood. Ms. Godfrey was not sure but knew the people behind them had a dog and the person who complained on Quay Street has two dogs and another person farther back from them have chickens and a horse.

Councilmember Howard asked if they planned on breeding their dogs again. Ms. Godfrey stated they probably would. Councilmember Howard asked how many dogs would be allowed with the kennel license. Mr. Dickinson stated the limit would be set based on the license, the request is for eight.

Councilmember Bukkila asked how long they have lived in the City. Ms. Godfrey stated they moved to the City in 1999. Councilmember Bukkila asked how long they had the dogs. Ms. Godfrey stated they started with two when they moved in and gradually increased as those became retired show dogs.

Mayor Gamache wondered how many dogs the Godfrey's had when the complaint from 2002 was

submitted. Mr. Godfrey did not remember. Councilmember Trude thought this was irrelevant because it was not verified.

Mayor Gamache asked if anyone was present to speak at the public hearing, no one came forward.

Motion by Knight, Seconded by Howard, to close the public hearing at 7:49 p.m. Motion carried unanimously.

Councilmember Bukkila asked what the City Code is. Mr. Dickinson reviewed the City Code with the Council. He noted they have a different capacity for a commercial versus a private kennel.

Councilmember Bukkila wondered if the Godfrey's would be open to a trial basis license to see how things went which means they would have to be on their best behavior at all times and the barking would need to be controlled. If a dog were to pass away she would not want it to be replaced until the City has established a relationship with the kennel and there were no problems. Mr. Dickinson stated the license renewal would be done in December of each year and at that point the license would be reviewed for complaints, if there are multiple complaints the City would contact the owner and explain to them the process for the license evaluation and the owners would then have to come before the Council for a decision on possible revocation or renewal of the license.

Mr. Dickinson suggested the Council approve the kennel license through December. Mayor Gamache stated he did not have a problem approving this.

Councilmember Knight asked if the Godfrey's could let the dogs out earlier at night. Ms. Godfrey stated they would try to do that but then the dogs would need to be let out earlier in the morning.

Motion by Howard, Seconded by Bukkila, to approve the private kennel license as presented for Geoffrey and Karen Godfrey, 3451 – 174th Lane NW, for the period July 16, 2014 through December 31, 2014. Motion carried unanimously.

CONSIDER REZONING OF 52 ACRES FROM R-1 TO R-4 FOR THE PROPOSED WINSLOW WOODS DEVELOPMENT – TONY EMMERICH CONSTRUCTION

Mr. Carlberg stated the City Council is requested to review the proposed request to rezone the parcels located directly south of Sophie's South and east of Winslow Hill's residential developments from R-1 Single Family Rural to R-4 Single Family Urban as requested by Tony Emmerich Construction.

Mr. Carlberg reviewed the staff report with the Council.

Motion by Trude, Seconded by Knight, to approve the rezoning request based on the fact that the property is located within the MUSA, water and sewer are available to the property, and the request is in harmony with the Andover comprehensive Plan. Motion carried unanimously. (See

Ordinance 439)

CONSIDER PRELIMINARY PLAT – WINSLOW WOODS – TONY EMMERICH CONSTRUCTION

Mr. Carlberg stated the City Council is asked to review the preliminary plat for Winslow Woods. The plat contains 4-urban lots and 1-outlot as proposed by Tony Emmerich Construction.

Mr. Carlberg reviewed the staff report with the Council.

Mayor Gamache stated he understood the complaints at the Planning and Zoning Commission were that these lots are a little small but are within the zoning of the R-4 area and they do not have any rules regarding the home value. Mr. Carlberg stated they regulate the size of the lot and regulate a minimum house size which is 960 square foot house foundation and a 440 garage foundation, building something higher than that is up to the developer. Mayor Gamache thought they will see homes comparable to what is surrounding the area.

Councilmember Trude thought the biggest factor is the land cost.

Councilmember Trude asked the developer of the land if there was a builder set up for the lots or would the lots be sold off with the owner hiring their own builder. Mr. Larry Olson, representing Tony Emmerich Construction, stated at this point it is a closed development to three, possibly four builders. They try to limit the number of builders in order to maintain quality control.

Councilmember Howard asked if the entire rezoned parcel is controlled by Tony Emmerich Construction and are they looking at connecting 150th Lane to the north to Xeon Street. Mr. Olson stated they did approach the family and gave a letter to the City that stated the owners do not wish to sell any further property at this time. Councilmember Trude thought an easement would be nice to provide a road through the area.

Mayor Gamache asked how they could rezone the area if the property owner does not want to sell. Mr. Carlberg stated the property owner gave permission to rezone the property.

Motion by Knight, Seconded by Howard, to approve the preliminary plat subject to the conditions of Resolution R049-14. Motion carried unanimously.

CONSIDER FINAL PLAT – WINSLOW WOODS – TONY EMMERICH CONSTRUCTION

Mr. Carlberg stated the City Council is asked to approve the final plat for Winslow Woods.

Mr. Carlberg reviewed the staff report with the Council.

Motion by Trude, Seconded by Knight, to adopt Resolution R050-14, approving the final plat

with conditions. Motion carried unanimously.

SCHEDULE AUGUST EDA MEETING

Mr. Dickinson requested the Council schedule an EDA Meeting to discuss topics as detailed in the staff report.

Motion by Trude, Seconded by Howard, to schedule an August EDA Meeting on August 6, 2014, at 6:00 p.m. Motion carried unanimously.

SCHEDULE AUGUST COUNCIL WORKSHOP MEETING

Mr. Dickinson requested the Council schedule a Workshop Meeting to discuss topics as detailed in the staff report.

Motion by Trude, Seconded by Howard, to schedule an August Workshop Meeting on August 26, 2014, at 6:00 p.m. Motion carried unanimously.

SCHEDULE SEPTEMBER COUNCIL WORKSHOP MEETING

Mr. Dickinson requested the Council schedule a Workshop Meeting to discuss topics as detailed in the staff report.

Motion by Bukkila, Seconded by Howard, to schedule a September Workshop Meeting on September 23, 2014, at 6:00 p.m. Motion carried unanimously.

ADMINISTRATOR'S REPORT

City Staff updated the Council on the administration and city department activities, updates on development/CIP projects, and meeting reminders/community events.

MAYOR/COUNCIL INPUT

(Fun Fest) Mayor Gamache stated Fun Fest was a success again. He wanted to thank all of the Public Works employees for all they did and also Cindy DeRuyter for the race and all she did at the Fun Fest. He also wanted to thank the Fire Fighters and Andover Lions Club for helping out.

(Fun Fest Parade) Councilmember Trude stated she helped serve as one of the Andover Parade Judges and awarded the best float to the Andover RC Boat Float. The most unique float award went to The Lamplighters 4H Club. The best music was the Sweet Adeline's. She thought next year they should have a youth participation award because there were a lot of kids that participated.

(League of Minnesota City Meeting) Councilmember Trude stated she was able to attend the League of Minnesota City meeting. She reviewed what was discussed at the meeting.

(Quad City TV Update) Councilmember Trude stated Quad City TV is continuing to change how they do things and are looking at a different way to do Council updates. She stated there would only be occasional City Council involvement, mostly staff updates.

(Security System Upgrades at Community Center/YMCA) Councilmember Bukkila stated the camera security system upgrades to the Community Center and YMCA Cooperative purchase has been really important to get done. She thought they needed to look at ways to combat, through prevention, deterrence or apprehension after the fact. They get something they can see the video on, reel it back so the Sheriff's office can have access to it in order to cut down on some of the crimes.

(Hockey Rink) Councilmember Howard stated in regard to the Crooked Lake hockey rink, he wondered if staff could talk to the association to try to save the City some money.

ADJOURNMENT

Motion by Knight, Seconded by Bukkila, to adjourn. Motion carried unanimously. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Sue Osbeck, Recording Secretary

REGULAR ANDOVER CITY COUNCIL MEETING MINUTES – JULY 15, 2014
TABLE OF CONTENTS

PLEDGE OF ALLEGIANCE	1
RESIDENT FORUM	1
AGENDA APPROVAL.....	1
APPROVAL OF MINUTES.....	2
CONSENT ITEMS	2
Approve Payment of Claims	2
Approve Debt Service Payments	2
Approve Resolution Authorizing Joinder of the Wellhead Protection Implementation JPA Agreement between Anoka County & Various Cities (See Resolution R043-14)	2
Approve Northern Natural Gas Encroachment Agreement/Prairie Knoll Park	2
Approve Crooked Lake Hockey Rink Layout.....	2
Approve Resolution/Advanced Municipal State Aid Funding (See Resolution R044-14)	2
Award Quote/14-7 & 14-12/2014 Trail & Parking Lot Maintenance.....	3
Adopt Resolution Appointing Election Judges for the Primary Election (See Resolution R045- 14)	3
Approve Off-Sale Liquor and Tobacco Licenses/Northgate Liquors	3
Approve Security System Additions/Upgrades at Andover Community Center	3
Approve Amended and Restated Joint and Cooperative Agreement for the Establishment of the Lower Rum River Watershed Management Organization to Plan, Control and Provide for the Development of the Lower Rum River Watershed	3
Approve Registered Land Survey – 17605 and 17477 Hanson Blvd NW – Max Fenna Jr (See Resolution R046-14).....	3
Approve Registered Land Survey – 3200 South Coon Creek Drive – City of Andover (See Resolution R047-14).....	3
Approve Final Plat – Country Oaks North – SW Land, LLC (See Resolution R048-14)	3
Approve On-Sale Liquor License/Andover Lanes/Corporate Name Change	3
Approve 2014 Animal Control Contract/Dover Kennel.....	3
ANOKA COUNTY SHERIFF’S DEPARTMENT MONTHLY REPORT	3
PUBLIC HEARING/PRIVATE KENNEL LICENSE/3451 – 174 TH LANE NW.....	3
CONSIDER REZONING OF 52 ACRES FROM R-1 TO R-4 FOR THE PROPOSED WINSLOW WOODS DEVELOPMENT – TONY EMMERICH CONSTRUCTION (See Ordinance 439)	5
CONSIDER PRELIMINARY PLAT – WINSLOW WOODS – TONY EMMERICH CONSTRUCTION (See Resolution R049-14)	6
CONSIDER FINAL PLAT – WINSLOW WOODS – TONY EMMERICH CONSTRUCTION (See Resolution R050-14)	6
SCHEDULE AUGUST EDA MEETING	7
SCHEDULE AUGUST COUNCIL WORKSHOP MEETING.....	7
SCHEDULE SEPTEMBER COUNCIL WORKSHOP MEETING.....	7
ADMINISTRATOR’S REPORT.....	7
MAYOR/COUNCIL INPUT	7
Fun Fest.....	7

Regular Andover City Council Meeting
Minutes – July 15, 2014
Page 10

Fun Fest Parade	8
League of Minnesota City Meeting.....	8
Quad City TV Update	8
Security System Upgrades at Community Center/YMCA.....	8
Crooked Lake Hockey Rink.....	8
ADJOURNMENT.....	8